

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

CIVIL REVISION APPLICATION No 511 of 1994

For Approval and Signature:

Hon'ble MR.JUSTICE D.G.KARIA

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

PATEL GOVINDBHAI DHARMSHIBHAI

Versus

PATEL ARJANBHAI NAGJIBHAI

Appearance:

MR HB SHAH for Petitioners
MR YN RAVANI for Respondent No. 1,2.
MR.P.B.BHATT, AGP,for Respondent No. 4,5.
MR AT THAKORE for Respondent No. 3.

CORAM : MR.JUSTICE D.G.KARIA

Date of decision: 29/07/97

ORAL JUDGEMENT

This Civil Revision Application is directed against the judgment and order dated April 21, 1994 rendered in Review Petition No.1 of 1994 on the file of the learned District Judge at Bhavnagar. The said review petition was against the order passed in the Civil

Misc.Application No.57/93 dated 9.3.1994 by the learned District Judge, Bhavnagar.

I have heard Mr.H.B.Shah, learned Senior Advocate for the petitioners, and Mr.Y.N.Ravani, learned Advocate for the respondents Nos. 1 and 2. The parties have consensually agreed for holding the election of Managing Committee of Shri Gadhada Swaminarayan Temple Trust at Gadhada, District Bhavnagar. It is not in dispute that the fresh rules with regard to holding the election of the said Managing Committee are finalised.

Accordingly, it is directed that election of the Managing Committee of Shri Swaminarayan Temple Trust be held on Magsar Sud Punam of s.y.2054 and the programme for the said election would be notified; the schedule for inviting nominations,scrutiny and all other details for holding the election shall be notified along with its due dates in local newspapers circulating in the area.

For the aforesaid purpose of holding the election, the final list of eligible voters shall be prepared and published at Gadhada and all other Swaminarayan Temples in accordance with the rules.

It is also directed that the objections be invited to the said provisional list. On receipt of objections, if any, the same will be considered according to the rules in the presence of the Returning Officer. On completion of the said process, the final list of eligible and qualified voters shall be published at Swaminarayan Temple, Gadhada and all other Swaminarayan Temples in accordance with the rules.

The Officer from the office of the Deputy Charity Commissioner at Bhavnagar is appointed as Returning Officer for the purpose of election of the said Managing Committee.

The new rules have come into force as aforesaid. The election is, therefore, to be held in accordance with the said new rules. The schedule and programme of the said election shall be decided and published with a view to holding the election with certainty by the aforesaid due date.

With the aforesaid direction, the Civil Revision Application stands disposed of. Rule discharged. Interim stay stands vacated.
